

APPLICATION FOR A LICENSE TO ENCROACH

Date: JULY 13, 2000

Location of public utility easement to be encroached upon: Lot 1, Block 6, 7 3.216
AC of W.C. Boyette Estate Subdivision JE Scott League, Abstract
No 50

Property Owner's Name & Address: 301 Church Avenue, L.P.

Property Owner's Phone Number: Thomas Kirkland (214) 890-9225

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLEGE STATION:

The undersigned hereby makes application for a License to Encroach the above public utility easement particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of College Station harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such License to Encroach.
2. Attached, marked Exhibit No. 1, are two sealed copies of the metes and bounds description of that portion of the public utility easement sought to be encroached upon, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, are two copies of a plat or detailed sketch of the public utility easement sought to be encroached upon and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described public utility easement is situated, together with the record owners of such lots.
4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the License to Encroach.
5. Attached, marked Exhibit No. 4, is the consent of the City of College Station staff to the License to Encroach.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

NONE- All Abutting Property is either R.O.W. or owned by

301 Church

7. A License to Encroach the public utility easement should be granted because: Site layout of project (2 buildings and parking garage) encompass most of property. Looping the electric utilities would be difficult without an encroachment. The location of the proposed buildings and easements have been coordinated with staff and the electric department through the site plan and platting process.
8. Such public utility easement has been and is being used as follows:

Utilities are currently in place, however a blanket easement covers the site. The easements being encroached will be record so once the final plat (approved by council 5/25/00) is filed for record.

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature: Thomas E. Kirkland President

Applicant's Name: 301 Church Avenue AP

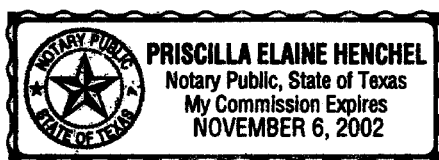
Applicant's Address: 2502 Greenville Ave Suite 500
Dallas Texas 75231

Applicant's Phone Number: 214/890-9225

STATE OF TEXAS)
COUNTY OF BRAZOS)

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 2nd day of May, ~~2000~~ 2001 by Thomas Edwin Kirkland.



Priscilla E. Henschel
Notary Public in and for
the State of Texas

Application for License to
Encroach a Public Utility Easement

Located: Lot 1, Block 6,7 3.216 AC of W.C. Boyette
Estate Subdivision JE Scott League, abstract No 50

EXHIBIT NO. 1

Attached are two sealed copies of the metes and bounds description of that portion of the public utility situated in W.C. Boyette Estate Subdivision
Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be encroached upon.

Application for License to
Encroach a Public Utility Easement

Located: Lot 1, Block 6, 7 3.216 AC of W.C. Boyette
Estate Subdivision JE Scott League, abstract No 50

EXHIBIT NO. 2

Attached are two copies of a plat or detailed sketch of the public utility easement sought to be encroached upon in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public utility easement sought to be encroached upon is situated, and the addition or subdivision in which the portion of the public utility easement sought to be encroached upon is situated. Also, the names of record owners of the abutting lots are shown.

Application for License to
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Located: Lot 1, Block 6,7 3.216 AC of W.C. Boyette Estate Subdivision
JE Scott League, Abstract No 50

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public utility easement sought to be encroached upon in the Application for License to Encroach above referred to, do hereby consent to the encroachment of the described portion thereof.

LONE STAR GAS COMPANY

BY: [Signature]
Title Utility Designer

~~GTE SOUTHWEST INCORPORATED~~
~~GENERAL TELEPHONE COMPANY~~

BY: [Signature]
Title Design Process Design

Cox
~~TCA CABLE COMPANY~~

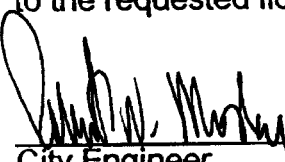
BY: [Signature]
Title Manager

Application for License to
Encroach a Public Utility Easement

Lot 1, Block 6, 7 3.216 Ac of W.C. Boyette Estate
Located: Subdivision JE Scott League, Abstract No 50

EXHIBIT NO. 4

The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for License to Encroach the public utility easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College Station and see no objection to the requested license from the City's standpoint.



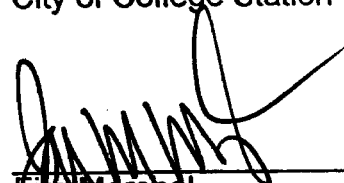
City Engineer
City of College Station



Building Official
City of College Station




Zoning Official
City of College Station



Fire Marshal
City of College Station

Exhibit



Director of Public Utilities
City of College Station

Elect Supt.

Application for License to
Encroach a Public Utility Easement

Located: Lot 1, Block 6, 7 3.216 AC of W.C. Boyette Estate
Subdivision JE Scott League, Abstract No 50

EXHIBIT NO. 5

The undersigned, owners of property abutting upon that portion of the public utility easement named and described in the Application for License to Encroach a Public Utility Easement referred to above, do hereby consent to such license.

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____
